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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,021	10/05/2000	Stephen Sean Ospalak	9411-20US (36142/279)	9062

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EXAMINER

TRAN, PABLO N

ART UNIT PAPER NUMBER

2685

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/680,021	OSPALAK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Pablo N Tran	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 37-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-36 and 46 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 14 is objected to because of the following informalities: Replace "wherein the connecting module" to --wherein the releasable connecting module--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. Claims 25-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 25, the claimed limitation "in a manner to make it appear to users of the wireline telephone" renders the claim indefinite.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2685

4. Claims 1-3, 5-10, 16, 23-24, 36, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Torrey et al.* (6,466,799) and in view of *Thiede et al.* (5,555,448).

As per claims 1-3, 16, 36, and 46, *Torrey et al.* disclosed a docking station (fig. 1A/no. 120, fig. 2A/no. 220) for interfacing a wireline telephone installation to a handheld wireless telephone having translation means (abstract, col. 4/ln.15-34) for translating communication signals between the handheld wireless telephone (fig. 2A/no. 200) and the wireline telephone (fig. 2A/no. 231-235), a main controller box (fig. 2A/no. 220), and wired means for connecting the docking station to the wireline telephone (fig. 2A).

*Torrey et al.* disclosed a connecting module (fig. 2A/no. 210, col. 4/ln. 22-25) but not explicitly a releasable connecting module. However, such is notoriously well known in the art, as suggest by *Thiede et al.* (fig. 4/no. 14). Therefore, it would have been obvious to one of ordinary skill in the art to provide such releasable connecting module to the docking station of *Torrey et al.* in order to easily switching communication modes without awkward plugging/un-plugging the cord to the portable handset.

As per claim 5, the modified communication systems of *Torrey et al.* disclosed such first data bus connector but do not specifically disclosed a second data bus connector for connection to the main controller box. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such second data bus connector for connection to the main controller box, well known, to the docking station

of the modified communication systems of *Torrey et al.* in order to provide flexibility to the user that such wireless handset can be carry abroad and can enabling the wireless handset to be used as wire line network terminal in order to save billing charges.

As per claim 6, the modified communication systems of *Torrey et al.* disclosed the main controller comprising a locking device (see *Thiede et al.*, fig. 4).

As per claims 7-9, the modified communication systems of *Torrey et al.* disclosed the retaining means of the connecting module defining a cup and the cup further comprising a data bus connector (see *Torrey et al.*, fig. 1A & fig. 1B).

As per claim 10, the modified communication systems of *Torrey et al.* do not specifically disclosed the wireless telephone is retained in the cup by friction. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such friction by the cup, well known, to the connecting module of *Torrey et al.* in order for the docking station to securely holding the wireless telephone when placed within the connecting module.

As per claims 23-24, the modified communication systems of *Torrey et al.* disclosed means for connecting the docking station to the computer (see *Torrey et al.*, col. 2/ln. 30-33).

5. Claims 4, 11-13, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified communication systems of *Torrey et al.* (6,466,799) in view of *Bertocci* (5,933,774).

As per claims 4, 11, and 13, the modified communication systems of *Torrey et al.* does not specifically disclosed the translation means is located within the releasable connecting module. However, such is well known in the art, as taught by *Bertocci* (fig. 3, col. 4/ln. 64-col. 5/ln. 20). Therefore, it would have been obvious to one of ordinary skill in the art to provide such translation mean located within the connecting module, as taught by *Bertocci*, to the modified communication systems of *Torrey et al.* to enabling the mobile radiotelephone to be used as wire line network terminal.

As per claim 12, the modified communication systems of *Torrey et al.* further disclosed the retaining means of the connecting module defining a cup and the cup further comprising a data bus connector (fig. 1A & fig. 1B).

As per claims 17-22, the modified communication systems of *Torrey et al.* does not specifically the wireless telephone network is a digital PCS, AMPS, CDMA, GSM, TDMA, or iDEN networks. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such networks, well known, to the modified communication systems of *Torrey et al.* in order to provide flexibility to the user.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified communication systems of *Torrey et al.* (6,466,799) in view of *Yamamoto* (5,327,482).

As per claim 15, the modified communication systems of *Torrey et al.* do not specifically disclosed at least two connecting modules. However, such is well known in the art, as suggested by *Yamamoto* (fig. 20). Therefore, it would have been obvious to

one of ordinary skill in the art to provide such at least two connecting modules to the modified communication systems of *Torrey et al.* in order to provide convenient and mobility to the user.

### **Allowable Subject Matter**

7. Claims 14 and 25-35 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jonsson et al. (5,903,833) disclose wireline/wireless radiotelephone communication system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Art Unit: 2685

Washington, D.C. 20231

or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

**PABLO N. TRAN**  
**PRIMARY EXAMINER**

December 2, 2004



#U2685